THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

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WRIT APPEAL NO : 1988 of 2005

Date:18-10-2005

Between:

Rachakonda Rajamallaiah and others …Appellants

And

A.P.State Wakf Board and others …Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

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J U D G M E N T (Per the Hon'ble Sri Bilal Nazki, ACJ)

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Heard learned counsel for the parties.

The letter dated 05-11-2001 written by the Revenue Divisional Officer, Siddipet, Medak District to the Sub-Registrar, Siddipet, Medak District asking him not to register any documents with respect to land, which is wakf property/endowment property in Sy.Nos.31, 1471 and 1476 situated at Siddipet village was challenged in

the writ petition. The learned Single Judge dismissed the writ petition.

Learned counsel for the appellants submits that the Revenue Divisional Officer has no power under the Registration Act to direct the Sub-Registrar to either register a document or refuse registration of a document. This position is conceded by the other side that the Revenue Divisional Officer has no such power, but learned counsel for the respondents submits that it had come to the notice of the Government that certain persons were entering into agreements and deeds pertaining to wakf and endowment property, therefore, such a letter was written by the Revenue Divisional Officer.

In this view of the matter, we allow the writ petition to the extent of setting aside the direction given by the Revenue Divisional Officer to the Sub-Registrar, but we want to clarify that there is no bar for the Revenue Divisional Officer to bring it to the notice of the Sub-Registrar the facts relating to notifications having been issued with respect to land notifying it to be wakf land or endowment land.

With these observations, the writ appeal is disposed of. No order as to costs.

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(Bilal Nazki, ACJ)

18th October, 2005

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(R.Subhash Reddy,J)

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